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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In application of:

Griffith et al

Serial No.: 09/473,604

Group Art Unit: 2685

Filed: December 29, 1999

Examiner: Marceau Milord

For: **METHOD OF COUPLING PORTABLE COMMUNICATIONS DEVICE
TO FIRST NETWORK BY WAY OF SECOND NETWORK**

I, Steven H. Meyer, Registration No. 37,189 certify that this correspondence is being deposited with the U.S. Postal Service as First Class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231,

On April 30, 2003

Assistant Commissioner for Patents
Washington, D.C. 20231

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Dear Sir:

Technology Center 2600

REQUEST FOR RECONSIDERATION

The following request for reconsideration and remarks are submitted in response to the Office Action mailed January 31, 2003 (Paper No. 9) in connection with the above-identified application and are being filed within the three-month shortened statutory period set for a response by the Office Action.

Claims 1-20 are pending in the present application, and currently stand rejected. Applicants respectfully request reconsideration and withdrawal of the rejection of the claims based on the following remarks.

The Examiner has rejected claims 1-20 under 35 U.S.C. §103(a) as being obvious over Thorne (U.S. Patent No. 6,021,310) in view of Lazaridis et al. (U.S. Patent No. 6,219,694). Applicants respectfully traverse the §103(a) rejection.

Independent claim 1 recites a method of coupling a portable communications device (PCD) to a first network by way of a second network. As recited, the PCD is normally in radio communication with the first network, but is coupled to the first network by way of the second network when the PCD is out of radio communication with the first network. In the method, the PCD is coupled to the second network, and is caused to leave a first network mode and enter a second network mode. A network connection is established with the first network by way of the second network, and communication is entered into with the first network by way of the second network.

Independent claim 12 recites the method of claim 1, and further recites placing the PCD into a cradle having a serial port connector and a network connector so that the serial port of the PCD is coupled with the serial port connector of the cradle, and also coupling the network connector of the cradle to the second network.

As explained in the specification of the present application, the first network is typically a cellular or pager communications network. However, situations arise wherein the PCD is out of range of such pager or cellular communications network. In such an instance, the PCD is coupled to a second network such as a telephone or computer network, and communication is established with the pager or cellular communication network by way of the telephone or computer network.

Thus, the hallmark of the present invention as recited in claims 1 and 12 is that the PCD is coupled to the first network by way of the second network when out of radio communication with the first network. The present invention as recited in claims 1 and 12 is not incumbent in using the second network as an alternative to the first network.

As was previously pointed out, the Thorne reference discloses a pager having a modem 48 coupled to a cellular receiver 50 and a cellular transmitter 54 for over-air communication with a cellular network. The modem 48 is also coupled to a telephone jack 34 on the pager for communication with a telephone line which is presumably coupled to a telephone network. However, and importantly, and as the Examiner concedes, the Thorne reference does not disclose or suggest that the telephone network (i.e., the second network) is coupled to the cellular network (i.e., the first network) such that the pager is coupled to the cellular network by way of the telephone network when the pager is out of radio communication with the cellular network, as is required by independent claims 1 and 12. As a result, and as the Examiner also concedes, the Thorne reference also does not disclose or suggest establishing a network connection with a first network by way of a second network, and entering into communication with the first network by way of the second network, as is required by claims 1 and 12.

Nevertheless, the Examiner points to the Lazaridis reference as disclosing establishing a network connection with a first network by way of a second network and entering into communication with the first network by way of the second network.

The Lazaridis reference discloses an arrangement whereby a message directed to a user at a computer device is re-directed by software on such computer device to a wireless gateway by way of a LAN and the Internet. From the wireless gateway, the message is then sent to a mobile computer. Thus, the message maybe received by the user at the mobile computer. The Lazaridis message also discloses that the message or parts thereof may in addition or in the alternative be re-directed from the computer device to another device such as a fax machine, a printer, a voice mailbox, etc.

Significantly, the Lazaridis reference always couples the mobile computer (presumably corresponding to the PCD) to the wireless gateway (presumably corresponding to the first network), and does not even consider what would happen if the mobile computer were to be out of communication with the wireless gateway. Thus, the Lazaridis reference does not disclose that the mobile computer is ever coupled to the wireless gateway by another network should the mobile computer be out of radio communication with the wireless gateway, as is required by claims 1 and 12. Since no second, coupling network is disclosed for the mobile computer, such mobile computer cannot be coupled to the second network, caused to leave a first network mode and enter a second network mode, establish a network connection with the wireless gateway by way of any such second network, and enter into communication with the wireless gateway by way of any such second network, all as required by claims 1 and 12.

The Examiner in the Office Action considers that some non-specific telephone network is coupled to what is presumed to be the wireless gateway and network therefor. However, Applicants respectfully submit that they fail to see such a coupling in the Lazaridis reference, and also that they fail to see how having one network being coupled to another satisfies the requirement of claims 1 and 12 that a PCD normally in radio communication with a first network be coupled to the first network by way of a second network when the PCD is out of radio communication with the first network, as is required by claim 1. Thus, Applicants respectfully submit that the Lazaridis reference does not in fact disclose such requirement.

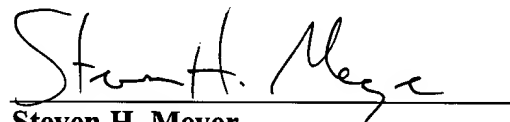
More importantly, since both the Thorne and Lazaridis references fail to disclose or suggest establishing a network connection with a first network by way of a second network and entering into communication with the first network by way of the second network when direct radio communication with the first network is not available, as is required by claims 1 and 12,

such references cannot be applied to make obvious claim 1 or claim 12 or any claims depending therefrom, including claims 2-11 and 13-20.

Accordingly, Applicants respectfully request reconsideration and withdrawal of the §103(a) rejection as it may be applied to claims 1-20.

In view of the foregoing amendment and discussion, Applicants respectfully submit that the present application including claims 1-20 is in condition for allowance, and such action is respectfully requested.

Respectfully submitted,



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Date:

April 30 2003

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